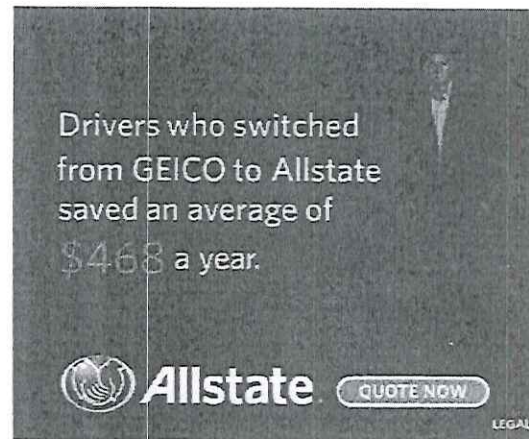


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Police: Española Teen With 'Hit List' Arrested, Released

By Vic Vela
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Journal Northern Bureau

SANTA FE — A 15-year-old Española Valley High School student was found with a "hit list" of fellow students "who bugged him" and books of his own drawings that depicted gory scenes of death, according to police.

The teenager was arrested Thursday by Española police and charged with felony crimes of attempted murder and aggravated assault. But the District Attorney's Office dropped the charges, saying police reports did not substantiate them, and he was released.

Both police and the DA say they believe the boy needs to be treated for mental health issues, but neither knows if that is happening or where he is now.

Police say he kept a list of 13 students, which he titled a "List for Hell."

"The top of the list said 'Rest in peace,' " said Lt. Christian Lopez. "At the bottom, he wrote, 'In hell.' "

Lopez believes the boy, who moved to the area from Georgia about two years ago, had been picked on or bullied at school and that he's suffering from mental health problems. Police confiscated pictures that he drew, including some in which people are being decapitated or set on fire. One rendering was of a smiling boy standing next to a victim who has flames protruding from his body.

Red crayon was used to illustrate pools of blood in the drawings.

The day of his arrest, his name came up during a threatening phone call made to the



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school that warned of a "sophomore with a gun" who was on school grounds, according to Lopez. Although he was not in class that day and no immediate threat was substantiated, the phone call caused a temporary lockdown at the high school.

The boy was arrested later that day at a counseling center in Española.

But the Santa Fe District Attorney's Office — after looking over reports from Española police and state Juvenile, Probation and Parole officers — chose not to charge him.

District Attorney Angela "Spence" Pacheco said her office could not uphold the police-recommended charges of attempted murder or aggravated assault because "those crimes were not committed."

"You can't charge someone with something that they may do in the future," Pacheco said. "He did not commit those crimes."

Pacheco said that "strictly from a legal perspective, there was nothing we could charge him with." The DA also said that it would be in "the best interest" for the child to receive mental help.

But Lopez said he felt the evidence supported the charges. "He threatened students," the lieutenant said. "Short of coming out and saying, 'I'm gonna kill you,' he put it down on paper."

"We felt there was more than enough intent," Lopez said. "If something happens, I did my job. And I'd do it again."

'Scared to death'

Meanwhile, parents at Española Valley are scared.

The father of a girl whose name was at the top of the hit list said Tuesday that the boy once asked his daughter out but that she rejected his overture. Rodney Benson said his daughter is "scared to death" and that it's not helping matters that the school has not provided families any information as to what's going on.

"I don't think I'm gonna let her go to school," Benson said, "until I find out what's up with this kid."

The police investigation began Sept. 7 — last Tuesday — when a resource officer alerted officers that a student had compiled on a piece of notebook paper a hit list of peers, according to the probable cause statement.

Police interviewed the boy and his mother. During their conversation, the boy said the names were of people "who bugged him."

Not all of the students were identified by name. A few were given derogatory monikers, such as "Pink Whore," "Fat Ass" and "Mexican Hitler."

Some of the pictures were of tombstones with students' names on them.

The police report indicates that "further investigation found that some of the students would pick on ... (the boy) or were bullying him and now he was targeting them through the list."

The boy told police that the pictures "were of a movie he was going to make."

The report says that when he was asked if "he thought he could hurt someone, or any of the persons on the list," he said he didn't know.

When asked if he was going to injure himself, he at first told police, " 'He didn't think so,' but sometimes he didn't know what he was thinking in his head." Asked again later, he said, "Sometimes I think that's the only way out."

Days before his arrest, he allegedly put his hands around his mother's neck after she told him to get ready for school, the woman told police. The mother said that her son had "violent tendencies."

School threat

"It's a scary issue to deal with," he said. "Because there's a history of this kind of thing happening. There's going to be people who say, 'This kind of thing doesn't happen in Española,' but I'm sure the people at Columbine (High School in Colorado) thought the same thing."

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